

REMARKS

In the official action of October 22, 2003, the drawings were objected to, claims 54 through 57, 60, 61 and 72 were rejected to under 35 U.S.C. § 112, second paragraph, claims 53 through 55, 58, 63, 64, 71 and 73 were rejected under 35 U.S.C. § 103(a), claims 62 and 66 were rejected under 35 U.S.C. § 102(b), claims 56, 57, 59 through 61, 70, 72 and 74 were objected to, and claims 50 through 52, 65 and 67 through 69 were allowed.

Regarding the objection to the drawings, claim 55 has been amended such that the language “disposed in overlying relationship” no longer exists therein. With regard to the language “flexible hinges to linked the lid to hatches” no such language ever existed in the claims. Moreover, the “hinge” specified in claim 63 is clearly shown in Figs. 1, 2, 3 and 6 of the drawings. Accordingly, it is respectfully requested that the objection to the drawings be reconsidered and withdrawn.

Turning now to the rejection under 35 U.S.C. § 112, second paragraph, claims 54 through 57, 60 and 61 have all been amended appropriately to obviate this rejection which should now be withdrawn. In this regard, it is submitted that all of the claims remaining in the application are in full compliance with the requirements of 35 U.S.C. § 112.

Previously rejected claims 54 through 57, 59 and 70 through 72 have all been amended to recite dependency either directly or indirectly from allowed claim 50, accordingly, these claims should all now be in condition for allowance.

Claim 53 was rejected as being unpatentable over the disclosure of Flachbart et al. But to the extent that Flachbart et al. discloses a flange, the same clearly is designed to be placed on top of the floor covering rather than between the floor covering and the floor. Accordingly, the taper is of no significance. It is to be noted in this regard that the flange of claim 53 is clearly

described as being “a tapered, outwardly extending, floor covering underlying flange.” Moreover, the degree of taper is clearly of significance with regard to flanges intended to underlie the floor covering. In any event, the examiner’s statement to the effect that it would have been an obvious matter of design choice to have a tapered flange, etc. is not supported by the record since a tapered flange is not required in connection with the Flachbart et al. design. Moreover, Flachbart et al. provide no suggestion whatsoever regarding what might or might not be needed when it is intended to place the flange between the floor and a floor covering. Accordingly, it is submitted that the invention of claim 53 is not obvious from the teaching of the Flachbart et al. reference.

Claims 58, 60 and 61 all depend either directly or indirectly from claim 53. Accordingly, these claims also are free of the cited Flachbart et al. teachings and therefore in condition for allowance.

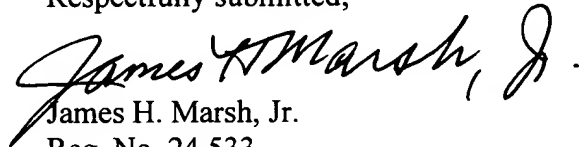
Claim 62 recites that the hatch includes “supporting structure configured and arranged to selectively retain said hatch in either its open position or its closed position.” Clearly, no such structure or function is disclosed or suggested by the teachings of Stires, III. Moreover, it is submitted that the Stires, III reference is non-analogous art which does not relate to the field of providing access for cables through barriers. Accordingly, claim 62 defines patentably over Stires, III.

Claim 63 recites the inclusion of an overmoulding that forms “an integral hinge joining the lid and the hatch together.” Clearly, no such structure or function is disclosed or suggested by the teachings of Stires, III. Moreover, it is submitted that the Stires, III reference is non-analogous art which does not relate to the field of providing access for cables through barriers. Accordingly, claim 63 defines patentably over Stires, III.

The application now includes fewer independent claims and fewer total claims than have previously been paid for. Accordingly, it is submitted that no additional filing fees are required by this amendment.

In view of the foregoing amendments and remarks, it submitted that the claims remaining for active consideration in this application are free of the cited art, in full compliance with the patent statutes, rules and regulations regarding formalities, and in condition for allowance. Accordingly, favorable action at an early date will be appreciated. If the examiner is of the view that any issue remains unresolved, it is respectfully suggested that applicants' undersigned attorney may be contacted by telephone at the number set forth below.

Respectfully submitted,

A handwritten signature in black ink, reading "James H. Marsh, Jr." with a stylized flourish at the end.

James H. Marsh, Jr.

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